

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Revenue Department – Sri M. Krishna Swamy, Tahsildar (retired) – Committed irregularities in appointment of Kavalkars and Neeradies while working as Tahsildar, Dhanwada Mandal, Mahabubnagar District – Departmental Proceedings under Rule 20 of AP Civil Service(CCA) Rules, 1991 read with rule 9 of A.P. Revised Pension Rules, 1980 initiated – Charges – Enquiry conducted – Punishment of withholding 20% cut in pension for a period of (3) years under Rule 9 of A.P. Revised Pension Rules, 1980 – Imposed- Orders Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No. 1234

Dated: 06.08.2013.

Read the following :-

- 1) From the C.C.L.A., Hyderabad, Lr.No.V.S.I(4)/3328/2010, dated 29.01.2011.
- 2) G.O.Ms.No.205, Revenue (Vig.II) Dept., dt.15.3.2011
- 3) G.O.Rt.No.316, Revenue (Vig.II) Dept., dt.15.3.2011
- 4) Written statement of defence of Sri M.Krishna Swamy, Tahsildar (Retd.) dt.28.4.2011.
- 5) G.O.Rt.No.680, Revenue (Vig.II) Dept., dt.4.6.2011.
- 6) Enquiry report of DRO Mahabubnagar, Dt.14.7.2011.
- 7) Govt. Memo No. 4888/Vig.II.2/2011-3, Dt. 23-2-2013.
- 8) Representation of Sri M.Krishna Swamy, Tahsildar (Retd.) dt.25.3.2013.
- 9) Government Lr. No. 4888/Vig.II.2/2011-4, Dt. 27-6-2013
- 10) The Secretary A.P.P.S.C. Lr. 1540/RT/2/2013, Dt.16/7/2013

ORDER:

In the reference 1st read above, the Chief Commissioner of Land Administration, Hyderabad has brought to the notice of the Government that Sri M. Krishna Swamy, while working as Tahsildar, Dhanwada Mandal, Mahabubnagar District, had appointed (5) Kavalkars and (3) Neeradies irregularly by violating the guidelines issued in Government Memo.No.88193/VI.I/97-4, dated 12.10.1998 and requested the Government to initiate disciplinary proceedings under Rule 9 of A.P. Revised Pension Rules, 1980, as the individual retired from service on attaining the age of superannuation on 30.4.2010.

2. In the reference 2nd read above, sanction was accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of A.P. Revised Pension Rules, 1980 to initiate departmental proceedings against Sri M. Krishna Swamy, retired Tahsildar and in the reference 3rd read above, charges were framed against the individual for committing certain irregularities in the case; with a direction to submit his written statement of defence. The charged officer has submitted his written statement of defence in the reference 4th read above and after examination of the matter, Government have appointed the District Revenue Officer, Mahabubnagar as the inquiring authority to conduct inquiry into the matter and the Revenue Divisional Officer, Narayanpet as Presenting Officer to present the case, vide reference 5th read above.

(P.T.O)

3. In the reference 6th read above, the Inquiring Authority & District Revenue Officer, Mahabubnagar, has submitted inquiry report and held that the Government imposed ban on direct recruitment to the posts of Village Servants in its Memo No. 88193/V.O.I/97-4, Dt: 12.10.1998 and contrary to the above, the delinquent officer has issued orders recruiting Village servants and Neeradies directly during 2009-2010.

4. Government, have examined the matter keeping in view the findings of the enquiry report and observed that all appointments of Village Revenue Assistants appear to be prima-facie irregular as they were made without wide notification of vacancy as stipulated in the Service Rules. Hence, Government have taken a provisional decision to impose a punishment of 20% cut in pension for a period of three (3) years against Sri M. Krishna Swamy, former Tahsildar (now retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980. Accordingly, in the reference 7th read above, Government have communicated the copy of the enquiry report together with the above provisional decision to impose the above penalty to the individual; directing him to submit his representation.

5. In the reference 8th read above, Sri Krishna Swamy, formerly Tahsildar (now retired) has submitted his representation and among others, has stated that the Chief Commissioner of Land Administration, A.P. Hyderabad in his letter No. A2/245/2010 dt.7.9.2010, directed the District Collector, Mahabubnagar not to take further action to issue of termination orders to the village servants on the ground of their irregular appointments and to keep such action in abeyance till a policy decision is taken by the Government. The Enquiry Officer in his inquiry report dated: 14.7.2011 has mentioned the above issues for a lenient view. He has requested to take a lenient view on humanitarian grounds and drop further action against him.

6. Government have examined the representation and observe that the plea of the retired Tahsildar to take consideration of the letter of the Chief Commissioner of Land Administration addressed to the District Collector, Mahabubnagar is not convincing as it is a separate matter. He allowed the irregular appointments at his own accord, without wide notification and thus committed irregularity. Accordingly, Government have decided to confirm the provisional decision to impose the proposed punishment against him as the contentions of the retired Tahsildar were examined earlier and no new grounds and addressed the A.P. Public Service Commission for their concurrence. In the reference 10th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above punishment against the individual.

7. Government after careful examination of the matter hereby impose the punishment of 20% cut in pension for a period of three (3) years against Sri M. Krishna Swamy, Tahsildar(Retired) under rule 9 of A.P. Revised Pension Rules,1980. Copy of the letter of A.P. Public Service Commission, dt. 16-7-2013 as required under Rule 23 of APCS (CC&A) Rules, 1991 is herewith furnished to the individual.

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8. The Chief Commissioner of Land Administration, Hyderabad is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Krishna Swamy, formerly Tahsildar, Dhanwada Mandal,
Mahabubnagar District (now Retired) (w.e)
through the Chief Commissioner of Land Administration, Hyderabad
The Chief Commissioner of Land Administration ,AP, Hyderabad.
The District Collector, Mahabubnagar.

Copy to :

The Accountant General, A.P., Hyderabad
The Director of Treasuries and Accounts, A.P., Hyderabad
The District Treasury officer, Mahbubnagar
The Secretary, A.P. Public Service Commission, Hyderabad.
The P.S. to Principal Secretary (Revenue) Department.
S.f./S.c.

//FORWARDED BY ORDER//

SECTION OFFICER